



SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



Section 200 – Rules and Regulations

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SECTION 1.00 INTRODUCTION

1.01 PURPOSE:

The Rules and Regulations officially adopted and set forth in this manual are for the guidance, regulation, and control of the conduct of all members of the Police Department of the City of San Antonio, Texas. These rules are designed to promote efficiency, discipline, and good public relations by setting forth policies governing the conduct and demeanor of every member of the police department, both on- and off-duty.

1.02 AUTHORITY:

- A. CITY CHARTER: Pursuant to Article V of the Charter of the City of San Antonio Chief of the Police Department, the director, shall have supervision and control over the Police Department, subject to approval by the City Manager.
- B. COLLECTIVE BARGAINING AGREEMENT: Pursuant to Article VII of the Collective Bargaining Agreement between the City of San Antonio and the San Antonio Police Officers' Association, the Chief of Police shall have the exclusive right to establish, rescind, or modify departmental rules and regulations while such contract is in effect, subject to review by the City Manager. Changes will be made through departmental orders issued by the Chief of Police and reviewed by the Fire and Police Civil Service Commission and the City Manager.
- C. LOCAL GOVERNMENT CODE: Pursuant to Chapter 143 of the Local Government Code, as amended, the Chief of the San Antonio Police Department shall have the power to take disciplinary action or suspend indefinitely an officer under his supervision for violation of either Chapter 143 of the Local Government Code, the Civil Service Rules of the City of San Antonio, or of these rules and regulations. In addition, the Chief of Police shall be empowered to take disciplinary action or suspend indefinitely any other police employee for violation of these rules and regulations.

1.03 SCOPE:

These rules and regulations govern the conduct, responsibilities, duties, assignments of, and the use of equipment by all members of the department. These rules and regulations may further cover such other matters as the Chief of Police may deem necessary or expedient for the proper conduct of the work of the department, and additionally incorporate departmental orders, directives, and procedures. These rules and regulations become effective on the date of issuance and rescind the Rules and Regulations of the San Antonio Police Department issued on September 25, 1984 and became effective on November 1, 1984.

1.04 ACKNOWLEDGMENT:

- A. EFFECTIVE DATE: The Rules and Regulations of the San Antonio Police Department, which are incorporated in the General Manual, apply to all employees, both sworn and non-sworn, and have the effect of an order. These rules and regulations, as revised and adopted on July 20, 2015, became effective on August 20, 2015.



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- B. RECEIPT OF ISSUANCE: All sworn and non-sworn members of this department will be issued a copy of the Rules and Regulations and are required to acknowledge its receipt. A signed receipt acknowledging acceptance of the rules and regulations shall be deemed sufficient notice of the existence and effect of the Rules and Regulations of the San Antonio Police Department. Any recommendations for revision should be directed to the Office of the Chief of Police.

1.05 SUPERVISORY ACKNOWLEDGMENT:

Each supervisory officer is required to acknowledge his personal responsibility for enforcing the provisions of these rules and regulations, departmental orders, and procedures of this department.

1.06 DEFINITIONS OF TERMS:

- A. "ASSIGNMENT" means the job tasks of a member, which may include a specific beat, post, or geographical responsibility.
- B. "CHAIN-OF-COMMAND" means the unbroken line of authority extending from the Chief of Police through a single subordinate at each level of command down to the level of execution.
- C. "DEPARTMENT" refers to the San Antonio Police Department, the members of the organization, and the physical assets of the entity.
- D. "DEPARTMENTAL ORDERS" means orders issued for the purpose of instruction, clarification of policy, and establishment of procedure or rules in the form of general orders, special orders, chief's memorandum, personnel orders, training bulletins, division orders, and Administrative Directives.
- E. "DIRECTIVES" may be used synonymously with departmental orders.
- F. "GENDER" use of the masculine gender shall also include, where applicable, the female gender.
- G. "IMMEDIATELY" means as soon as possible and feasible.
- H. "INTOXICANT" means any alcoholic beverage or controlled substance, which, when introduced into the body, may cause an impairment of any mental or physical capacity.
- I. "INTOXICATION" means any level of mental or physical incapacitation resulting from the voluntary introduction of any alcoholic beverage or controlled substance into the body.
- J. "MAY" means the action is permissive.
- K. "MEMBERS" mean all employees of the San Antonio Police Department.
- L. "MUST" means the action is mandatory.
- M. "PROCEDURES" means a comprehensive, instructional, written communication providing direction in the accomplishment of a police related task.
- N. "SEXUAL CONDUCT" means, but is not limited to, deviant sexual intercourse, sexual contact, sexual intercourse, public lewdness and indecent exposure as defined by Texas Penal Code 21.01 (1) (2) (3), 21.07 (a) (1) (2) (3) (4), and 21.08 (a).
- O. "SIGNIFICANT BEHAVIORAL INFRACTION" means a conduct that an ordinary and prudent person would not engage in, given the same set of facts and circumstances and that by its very nature would bring reproach and/or discredit to the San Antonio Police Department, regardless of the legality of such conduct.



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- P. "SHALL" means the action is mandatory.
- Q. "SHOULD" means the action is advisory. Where used, "should" indicates the procedure is not mandatory. However, it ought to be followed if the situation permits.
- R. "SUBORDINATE" means any member who is subject to the authority of another.
- S. "SUPERVISORY OFFICERS" mean sworn personnel of this department who have attained the rank of sergeant or above.
- T. "TOUR OF DUTY" means that period of time beginning when the member reports for duty and ending when he is relieved from duty by either the dispatcher or a supervisory officer.
- U. "WILL" means the action is mandatory.

1.07 THE MEANING AND INTENT OF OTHER WORDS OR PHRASES:

Words or phrases not specifically defined in these rules and regulations shall be interpreted to have the meaning and intent established in the common usage.

SECTION 2.00 ADMINISTRATION

2.01 COMMAND/SUPERVISORY RESPONSIBILITIES:

- A. MAINTAIN BOOKS AND RECORDS: Supervisory officers shall maintain all books, records, and reports under the supervisory officer's authority in conformity with the rules, regulations, and procedures of the department.
- B. ENFORCE RULES: Supervisory officers shall be uniform and impartial in the enforcement of these rules and procedures; the insurance of conformity on the part of command officers to all orders, directives, and other instructions issued to the members of the department.
- C. KEEP INFORMED OF ACTIVITY UNDER COMMAND: Supervisory officers shall keep informed of all activity which affects their responsibility within the supervision; frequently testing the knowledge of subordinates as to conditions in their beats and posts or as to functions of their assignments.
- D. DOCUMENT BRIEFINGS AND INSPECTIONS: Supervisory officers shall document all inspections and briefings of personnel.
- E. COORDINATE ACTIVITIES WITH OTHER UNITS: Command officers shall keep advised of the operations of other divisions of the department, and coordinates the activities of their command with other divisions and sections of the department.
- F. HAVE UPDATED EMPLOYEE LOCATOR LIST: Supervisory officers shall have at their residence the current employee locator list, properly corrected to date. Supervisory officers receiving locator lists must frequently review them and check all changes with the personnel involved.

2.02 CHAIN-OF-COMMAND:

All officers shall familiarize themselves with the command structure of the department and operate within it.

2.03 DIRECTIVE SYSTEM:

All departmental personnel shall familiarize themselves with the formal means of communications within the department.



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SECTION 3.00 INDIVIDUAL RESPONSIBILITIES

3.01 ABIDE BY LAWS AND DEPARTMENTAL ORDERS:

- A. LAWS, ORDERS, RULES, REGULATIONS, AND PROCEDURES: Members shall abide by the laws of the United States and the State of Texas, ordinances of the City of San Antonio, and the departmental orders, rules, regulations, and procedures of the San Antonio Police Department.

3.02 TRUTHFULNESS OF MEMBERS:

Members shall speak the truth at all times. Reports and written communications from any member shall also reflect the truth.

3.03 OBEY LAWFUL ORDERS:

Members shall promptly and willingly obey all lawful orders and directions given by supervisory officers and shall comply with instructions given by the police dispatcher.

- A. INSUBORDINATION: Defying the authority of any supervisory officer by obvious disrespect, disputing orders, failure and/or deliberate refusal to obey any lawful order given by them shall be deemed insubordination.
- B. MANNER OF ISSUING ORDERS: Orders from a supervisor to a subordinate shall be in clear, understandable language, civil in tone, and issued in pursuit of departmental business.
- C. UNLAWFUL ORDERS PROHIBITED: No commanding or supervisory officer shall knowingly or willfully issue any order which is a violation of any law, ordinance, or departmental rule.
- D. CRITICISM OF LAWFUL ORDERS: Members shall not publicly criticize or comment derogatorily to anyone about instructions or orders they have received from a supervisory officer.
- E. CONFLICT OF ORDERS: Should any subordinate receive an order which conflicts with a previous order from another supervisory officer or with any general order, they shall respectfully call attention to the conflict. If the supervisory officer giving the conflicting order does not change the same, so as to eliminate the conflict, his order shall stand and the responsibility shall rest with the supervisor.
- F. OBEDIENCE TO UNLAWFUL ORDERS NOT REQUIRED: No member is required to obey an order which is contrary to the laws of the United States, statutes of the State of Texas, ordinances of the City of San Antonio, and orders, rules, regulations, and procedures of the San Antonio Police Department.
- G. OBEDIENCE TO UNJUST OR IMPROPER ORDERS: Members who are given orders they feel are unjust or contrary to departmental orders or the Rules and Regulations of the Department must first obey the order to the best of their ability and may then proceed to appeal as provided herein.
- H. REPORTING UNLAWFUL ORDERS: Any member who is given any unlawful, unjust, or improper order shall, at the first opportunity, report in writing to the Chief of Police, through the chain-of-command, the facts of the incident together with their own action.
- I. APPEALS FROM UNLAWFUL OR UNJUST ORDERS: Members shall appeal for relief from orders or instructions which are unlawful or unjust. Such appeals must be made in writing to higher authority through the chain-of-command.

3.04 RESPONSIBILITY TO SERVE THE PUBLIC:



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Members shall serve the public through direction, counseling, assistance, and protection of life and property. Members shall also respect the rights of individuals and perform their services with honesty, sincerity, courage, and sound judgment.

- A. **IMPARTIAL ATTITUDE:** Members, while being vigorous and unrelenting in the enforcement of the law, must maintain an impartial attitude toward complainants and violators. Members shall, at all times, consider it their responsibility to be of service to anyone who may be in danger or distress, regardless of race, color, creed, gender, or national origin.
- B. **COURTESY:** Members shall at all times be courteous, kind, patient, and respectful in dealing with the public, and shall strive to merit the esteem of all law abiding citizens by an impartial discharge of their official duties.
- C. **CONDUCT AND BEHAVIOR:** Members, on-or off-duty, shall be governed by the ordinary and reasonable rules of good conduct and behavior, and shall not commit any act tending to bring reproach or discredit on themselves or the department.
- D. **DUTY TO IDENTIFY:** All members of the department, when called upon to do so by any person, shall, in a courteous manner, give their name and badge number.
- E. **POLICE ACTION WHEN NOT IN UNIFORM:** An officer not in uniform, when exerting police authority, shall identify themselves as a police officer and state the purpose or reason for their actions.
- F. **NEUTRALITY IN CIVIL ACTIONS:** Members shall not give aid or assistance in civil cases, except to prevent a breach of the peace or halt a disturbance.
- G. **MAINTENANCE OF COMPETENCY:** Members shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions.

3.05 PHYSICAL HYGIENE AND PSYCHOLOGICAL WELL-BEING:

Members shall maintain themselves in good physical and mental condition.

- A. **GOOD PHYSICAL HYGIENE:** All members, by frequent bathing, shall exercise good bodily hygiene and cleanliness.
- B. **MAINTENANCE OF PHYSICAL STANDARDS:** All members, by regular exercise and moderate living, shall maintain themselves in such a physical condition as to be able to handle strenuous physical contacts or demands required of the active, uniformed law enforcement officer.
- C. **CHEMICAL DEPENDENCE:** No member shall become physically or mentally dependent upon alcohol or any controlled substance unless administered by a licensed physician. Dependence upon a prescribed drug is not an excuse for being unable to perform.
- D. **CONTROLLED SUBSTANCES:** Members shall neither possess, use, nor distribute any substances regulated by the Controlled Substances Act, except possession related to official police duties or unless such use or possession is under the direction of a licensed physician.
- E. **EMOTIONAL AND PHYSICAL WELL-BEING:** Members may be required to seek medical or psychological services upon the order of the Chief of Police.

3.06 RELATIONSHIPS WITH CO-WORKERS:

Members shall conduct themselves in such a manner so as to bring about the greatest courtesy or understanding and cooperation among the various units of the Department.



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- A. **MUTUAL RESPECT:** Members shall treat other members of the Department with respect, affording them the response due to them as co-workers.
- B. **COURTESY:** Members shall be courteous, civil, and respectful to their supervisory officers and co-workers, and shall not use threatening or insulting language, whether on- or off-duty.
- C. **RESPECT TO SUPERVISORY OFFICERS:** Members shall exhibit respect for supervisory officers at all times.
- D. **SUPPORTING FELLOW MEMBERS:** Members shall cooperate, support, and assist each other at every opportunity and shall not publicly criticize the work or the manner of performance of duty of any other member.
- E. **SUPPORT IN TIME OF DANGER:** Members shall act together and protect one another in a time of danger or under circumstances where danger might reasonably be impending.
- F. **WORKING RELATIONSHIPS:** Members shall abstain from performing any acts or making any statements, oral or written, which are directed at their co-workers with the intent to destroy the morale, good order, and working relationships with such co-workers.

3.07 CRITICISM OF THE DEPARTMENT:

Members of the department shall not criticize or ridicule the department, its policies, administrators, or public officials through speech, writings, or other forms of expression.

- A. **DEFAMATORY:** Members shall not use speech, writings, or other forms of expression that are defamatory, obscene, or unlawful.
- B. **UNDERMINES EFFECTIVENESS OF DEPARTMENT:** Members shall not use speech, writings, or other forms of expression that tend to interfere with or undermine the effectiveness of the Department to provide public services.
- C. **INTERFERES WITH DISCIPLINE:** Members shall not use speech, writings, or other forms of expression that tend to interfere with the maintenance of proper discipline.
- D. **AFFECTS PUBLIC CONFIDENCE:** Members shall not use speech, writings, or other forms of expression that tend to adversely affect the public's confidence in the integrity of the Department and/or its officers and employees.
- E. **DAMAGES REPUTATION OF DEPARTMENT:** Members shall not use speech, writings, or other forms of expression that damage or impair the reputation or efficiency of the Department.
- F. **DISREGARDS THE TRUTH:** Members shall not use speech, writings, or other forms of expression that are made with negligent disregard for the truth.

3.08 UNAUTHORIZED RELEASE OF INFORMATION:

- A. **PROGRESS OF INVESTIGATION:** No member of the department shall make known any information concerning the progress of an investigation or proposed action against a known or reported law violation or condition, or any proposed police action of any type, to persons not authorized to receive it.
- B. **RELEASE OF PUBLIC STATEMENT:** Members shall not present themselves as representing the Department in any matter unless delegated or authorized to do so by a supervisory officer.



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- C. **PUBLIC ADDRESS OR WRITING FOR PUBLICATION:** No member of the Department shall make a public address or write for publication concerning the affairs of the Department without the consent of the Chief of Police.
- D. **STATEMENTS OF POLICY, ORGANIZATION, AND DISCIPLINARY ACTION:** Statements of policy, information regarding changes in organization, or disciplinary action will be made from the Office of the Chief of Police, and no member of the Department, unless specifically authorized, will discuss such matters with others.
- E. **RELATIONSHIP WITH ATTORNEY, BONDSMAN, OR AGENT:** It is forbidden to give information about any prisoner in confinement to any attorney, bondsman, the agent of either, or any other person not authorized to receive it.
- F. **RECOMMENDATION OF ATTORNEY OR AGENT:** No member shall recommend to any person the name or names of any attorney, counselor, bondsman, or other person.

3.09 INFORMATION ON BULLETIN AND CITY EMAIL:

- A. Members are responsible for reading the department's Daily Bulletin at the beginning their tour of duty. Departmental personnel returning to duty after any absence shall read all directives published during their absence, prior to returning to duty.
- B. Members shall read their departmental email at the beginning of their tour of duty and are strongly encouraged to check their departmental email at the end of their tour of duty.

3.10 CURRENT ADDRESS AND TELEPHONE:

All members shall report to their immediate supervisor and to the Administrative Services, on any change of address and/or telephone number within two working days. Members shall have a working telephone available to them. Members may rely on a mobile phone as a means of being contacted for departmental, standby and/or call-back purposes.

3.11 USE OF INTOXICANTS:

- A. **DRINKING ON-DUTY:** Members shall not drink intoxicating beverages while on-duty. No member shall report for duty exhibiting the odor of intoxicants, or any of the elements or appearance of intoxication. The exception shall be for a member to accomplish a specific police assignment or mission, when approved by a supervisor.
- B. **INTOXICATION:** Members shall not, at any time, be intoxicated while on-duty. Members shall not be intoxicated while in public view. No member, while off-duty, shall drink intoxicating beverages to an extent which renders them unfit to report for duty.
- C. **ALCOHOLIC BEVERAGES ON OFFICIAL PREMISES:** Intoxicants in any form will not be brought into any police facility, including city vehicles, except when approved by a supervisor; except when related to official police duties.
- D. **CONSUMPTION OF ALCOHOLIC BEVERAGES IN UNIFORM:** No officer shall drink intoxicants in uniform.

3.12 USE OF TOBACCO:

Members shall refrain from the use of tobacco in any form while in direct contact with the public.



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3.13 VEHICLE OPERATOR'S LICENSE:

Every officer is responsible for having in his possession a valid vehicle operator's license.

3.14 FINANCIAL OBLIGATION:

No member in a supervisory position shall place themselves under financial obligation to a subordinate, nor shall a supervisor solicit a subordinate as a co-maker or endorser of any note or obligation.

3.15 GRATUITIES, LOANS, AND SOLICITATIONS:

- A. **ACCEPTING GIFTS:** Members shall not receive from prisoners, persons recently released from custody, persons suspected of criminal activity, nor their representatives, either directly or indirectly, any tangible or intangible property, whether it is a gift or the result of a purchase or trade.
- B. **BORROWING:** Members shall not borrow anything of value from any person or persons known or suspected to be engaged in criminal activity.
- C. **SOLICITATIONS:** Members will not solicit funds for the benefit of any member, the Department, or any other public or private agency without the written authority of the Chief of Police.

3.16 ACCEPTING REWARDS:

Members of the Department shall not accept any reward of money, or fee, or compensation of any type for any service rendered in the performance of duty other than the salary or stipends given by the city or other branch of government.

3.17 OUTSIDE EMPLOYMENT:

- A. **PERMISSION REQUIRED:** Members of the Department shall not engage in any outside employment, nor own, operate, or have any financial interest in any business activity without the approval of the Chief of Police.
- B. **OBEY LAWS:** Officers engaged in performing police duties in outside employment, whether in uniform or civilian clothes, must enforce all laws as though on-duty for the San Antonio Police Department.
- C. **SUBJECT TO RULES AND REGULATIONS:** Officers engaged in outside employment shall conduct themselves as though they were on-duty and shall be subject to these rules and regulations.

3.18 CITY EQUIPMENT/PROPERTY:

- A. **IMPROPER OR NEGLIGENT HANDLING:** Improper or negligent handling of any city property or willful damage to city property is prohibited.
- B. **LOSS THROUGH NEGLIGENCE:** Officers losing their badges, firearms, or other city equipment through negligence or carelessness may be obligated to pay for the replacement cost or an amount determined by the degree of negligence on the part of the officer. Loss or damage to city property occurring while the member is acting properly in the line of duty, or in a burglary of their home, is not classified as negligence. Members should not leave removable city issued equipment in plain view in any vehicle. An officer may be found negligent if they leave city issued equipment in any vehicle and the property is stolen, as a result of a burglary of that vehicle.
- C. **SAFE OPERATION OF VEHICLES:** City vehicles will be operated in a safe manner and in compliance with all traffic laws.



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- D. **INVENTORIED CITY PROPERTY:** Inventoried city property, which includes city vehicles, shall not be used by any member of the department without the knowledge and permission of the person responsible for said equipment or vehicle.
- E. **WASTE OR CONVERSION:** Members shall not willfully waste or convert to their own use any city owned supplies, equipment, or services.
- F. **REPORTING MALFUNCTION:** Members shall immediately report any malfunction or need of repairs of any city property used by the member, or which may be under their control.
- G. **ALTERING ACCESSORIES:** Members shall not alter, deface, or in any way change any part or accessory of any city property.
- H. **MAINTAINING NEAT, CLEAN, AND ORDERLY CONDITION:** Members shall maintain offices and vehicles used by them in a neat, clean, and orderly condition.

3.19 UNAUTHORIZED EXPENDITURES:

Obligation of funds or financial liability shall not be incurred in the name of the Department or the City of San Antonio by any member unless authorized by the Chief of Police pursuant to an approved ordinance.

3.20 NOTICE OF SICK LEAVE:

Notice that a member is sick or injured and cannot report for duty will be made to their immediate supervisor.

3.21 FEIGNING ILLNESS OR INJURY:

No member shall feign illness or injury.

3.22 ILLNESS WHILE ON-DUTY:

When a member becomes sick while on-duty to the extent they must leave their duty station, they shall immediately notify their supervisor.

3.23 RESTRICTIONS ON ACTIVITIES WHILE SICK, INJURED, OR ON LIMITED-DUTY:

- A. **REMAIN AT RESIDENCE:** Members, while on sick or injured leave, shall remain at their place of residence unless it is necessary for them to go to a doctor, hospital, or pharmacy. If for medical reasons it should be necessary for a sick or injured member to stay at some location other than their residence, they must notify their supervisor who shall ensure the new temporary address is made a matter of record.
- B. **NO EXTRA EMPLOYMENT:** Members shall neither engage in outside employment nor work any city overtime while on sick or injured leave. Members, after having been out on sick or injured leave, must complete one regular tour of duty before engaging in any outside employment or working city overtime. The overtime restriction may be waived in an emergency.
- C. **LIMITED OR LIGHT-DUTY STATUS:** Members on limited-duty or light-duty status shall not engage in any off-duty employment or work any overtime for the city. The overtime restriction on limited-duty may be waived during an emergency.

3.24 NEGOTIATIONS ON BEHALF OF SUSPECT:

- A. **PARTICIPATE IN ARRANGEMENT:** Members shall not participate in any arrangement between the suspect and the person who has allegedly suffered by the suspect's act which would result in the criminal



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escaping the penalty of the law, nor shall any member seek the continuance or dismissal of any case on behalf of the defendant in court for any reason.

- B. **PROMISES:** Members shall not make promises that cannot be fulfilled.

3.25 TRAFFIC STOPS WHILE NOT IN UNIFORM:

- A. **OFF-DUTY:** Off-duty officers, whether in uniform or not, shall not engage in traffic stops. In cases involving crashes or where probable cause exists for the offense of driving while intoxicated, off-duty officers should contact the dispatcher to request an on-duty officer to make the traffic stop or arrest traffic violators.
- B. **ON-DUTY:** On-duty officers, not in uniform, may make traffic stops only when their assignment requires such traffic stops and when such traffic stops are approved by their division commander in writing. In such cases, the vehicle used in making the traffic stop shall have an emergency light prominently displayed and a siren as required for emergency vehicles by the Texas Motor Vehicle Laws.
- C. **REQUEST ASSISTANCE:** On-duty officers, not in uniform, other than that situation outlined in paragraph B, shall not make traffic stops. If there is a need to stop a traffic violator, the non-uniformed officer shall request a uniformed officer in a marked vehicle to make the traffic stop.

3.26 TREATMENT OF PRISONERS:

Prisoners shall be protected in their legal rights, given humane treatment, and shall not be subjected to verbal abuse or unnecessary physical violence.

3.27 GIVING INFORMATION IN INTERNAL INVESTIGATIONS:

- A. **DUTY TO GIVE INFORMATION:** A member shall, when requested, answer questions, render statements, or surrender material relevant to a Professional Standards Section investigation.
- B. **GARRITY WARNING:** Any member who is the subject of a Professional Standards Section investigation gives a written report; provided they are advised:
1. The report is for departmental purposes only;
 2. The report will not be used against them in any subsequent criminal investigation or prosecution; and
 3. Should they fail to give a written report, a lawful order to do so will be given, and failure to follow such an order will result in disciplinary action.

3.28 RESPONSIBILITY TO KNOW LAWS AND PROCEDURES:

- A. **LAWS AND ORDINANCES:** Members shall learn and thoroughly understand the laws and ordinances which they are charged with enforcing.
- B. **WRITTEN DIRECTIVES:** Members shall familiarize themselves with all written directives which are published by the department and which affect their assignment.
- C. **PENALTY FOR VIOLATIONS:** Violation of any lawfully adopted departmental rule or regulation by any department employee who is subject to the same, shall be sufficient cause for suspension or termination in accordance with applicable law and Fire and Police Civil Service Commission procedure, whether the rule or regulation is part of the originally promulgated rules and regulations, or is contained in a subsequent general or special order, directive, or other amendment to the rules.



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- D. **LACK OF KNOWLEDGE:** Lack of knowledge of such rules or regulations shall never be a defense to any disciplinary action, if said rules or regulations have been disseminated or posted as set forth in the regulations and if the employee has had a reasonable opportunity to become familiar with the rules and regulations.

3.29 SOLICITING SPECIAL PRIVILEGES:

- A. **FOR PERSONAL GAIN:** Members shall not use their official position to solicit special privileges for themselves or others.
- B. **SOLICITING CITIZENS' PETITION:** Members shall not request the aid of any citizen to have them transferred within the department from one classification of work to another, nor to have them transferred from one beat or district of the city to another.

3.30 CONSORTING WITH PERSONS OF ILL-REPUTE:

- A. Members shall limit their personal and professional associations to persons of good character and whose reputations are beyond reproach.
- B. Members shall not associate with known or suspected criminals where said associations do or tend to bring the department and/or the member into disrepute. Generally, familial associations are not prohibited by this rule. However, where an association is with a family member who still engages in criminal activity, or where the association does or tends to further criminal conduct on the part of the family member, those associations are prohibited. Associations with known or suspected criminals in furtherance of a member's duties are not prohibited by this rule.

3.31 DISPLAYING OR DISCHARGING FIREARMS:

- A. **DISPLAYING FIREARM WHILE NOT IN UNIFORM:** Officers, whether on- or off-duty, not in uniform, are prohibited from wearing their weapon on the outside of their clothing in such a manner it causes alarm.
- B. **DISPLAYING FIREARM UNNECESSARILY:** Members shall not unnecessarily display their firearms.
- C. **DISCHARGING FIREARMS:** Officers may discharge firearms in the following circumstances only:
1. At target practice;
 2. To destroy an animal in conformance with departmental procedures;
 3. In defense of one's life or the life of another; or
 4. To hunt wild game, while properly licensed and in conformance with state law.
- D. **REPORT REQUIRED:** Any officer discharging a weapon accidentally or intentionally, except on the target range or while lawfully hunting wild game, shall immediately report the incident, in writing, to their immediate supervisor.

3.32 ACTIVITIES OF MEMBER WHILE UNDER SUSPENSION:

- A. **PROHIBITED ACTIVITIES:** Officers while under suspension shall not:
1. Wear the San Antonio Police Department uniform or any part of the uniform;
 2. Represent themselves as members of the San Antonio Police Department;



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3. Carry or display their San Antonio Police Department badge or identification;
 4. Engage in outside employment which requires an extension of police services; nor any form of outside employment prohibited by existing SAPD General Manual procedures governing outside employment; or
 5. Exercise the power or authority of a police officer of the City of San Antonio, Texas.
- B. RIGHTS AND PRIVILEGES: Officers, while under suspension, have only the rights and privileges afforded a private citizen regarding the carrying of any weapon.

3.33 ARRESTS IN PERSONAL QUARRELS:

Members, while off-duty, shall not make arrests in quarrels in which they are personally involved or those in which their families are involved, except when immediately necessary to prevent bodily injury or death.

3.34 MAINTAINING CERTIFICATION:

Each officer shall maintain minimum standards for retention of their license issued by the Texas Commission on Law Enforcement.

3.35 REPORT AN ARREST, CRIMINAL CHARGE, OR INDICTMENT:

Any member arrested, charged with, or indicted for a state criminal offense, in any state, which is above the level of a class C misdemeanor or which is a class C misdemeanor and the class C misdemeanor involves the duties and responsibilities of office, or for a federal criminal offense, must immediately provide the Office of the Chief of Police with written notification of such incident. The member must provide the Office of the Chief of Police with the name of the arresting agency, a description of the nature of the charges, and the style, court and cause number of the charge or indictment, if any.

3.36 SEXUAL MISCONDUCT PROHIBITED

- A. Members (sworn and civilian) are prohibited from engaging in sexual conduct while:
1. On-duty;
 2. In uniform;
 3. Working off-duty (extension of police services);
 4. Officially representing the San Antonio Police Department;
 5. In a mentoring capacity (Including, but is not limited to: direct supervision, F.T.O., Academy Instructor or Explorer Advisor, etc.); or
 6. Using their position with the San Antonio Police Department in any capacity;
- B. Sexual Conduct is defined in accordance with Texas Penal Code Section 21.01 (1) (2) (3), 21.07 (a) (1) (2) (3) (4) and 21.08 (a).



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SECTION 4.00 ATTENTIVENESS TO DUTIES

4.01 MEMBERS SUBJECT TO DUTY:

While within the corporate limits of the City of San Antonio, officers of the San Antonio Police Department will consider themselves available for duty in any emergency situation, regardless of their actual duty status. On-duty officers shall carry their police identification and an approved weapon. Off-duty officers shall carry their police identification and should carry an approved weapon.

- A. **NONEMERGENCY ACTIONS:** When an officer, not on-duty, has a matter come to their attention that is not an emergency situation requiring immediate action, they shall call the police dispatcher and request the assignment of an on-duty officer. Once the on-duty officer has arrived, the off-duty officer will not interfere or participate in the incident unless requested to do so by the officer(s) assigned to handle the incident.
- B. **AUTHORITY OUTSIDE CITY LIMITS WHILE OFF-DUTY:** An officer, while off-duty outside the city, has only the rights, authority, and privileges of a private citizen.
- C. **AUTHORITY OUTSIDE CITY LIMITS WHILE ON ASSIGNMENT:** Police officers on an assignment outside the city, contact the agency having original jurisdiction, and seek the assistance of that agencies officer's in any action to be taken. Any action taken will be confined to what is necessary to accomplish the assignment.

4.02 ALERTNESS REQUIRED OF MEMBERS:

Members shall at all times be attentive to their duties and by their alertness and observation, and demonstrate their interest in their work.

4.03 REQUIREMENT TO TAKE ACTION:

On-duty members are required to take prompt and effective police action conforming to departmental policies with respect to violations of laws and ordinances and matters affecting public safety coming to their attention, or of which they have knowledge.

4.04 REPORTING FOR DUTY:

Members, unless otherwise directed, shall report for duty or present themselves at the time and place specified by proper authority. They shall be properly uniformed, or dressed, and equipped.

4.05 AVAILABILITY WHEN ON-DUTY:

No member while on-duty shall conceal himself, except for some police purpose. Members shall keep themselves immediately and readily available at all times when on-duty.

4.06 ON-DUTY ACTIVITIES:

Members shall not devote any of their on-duty time to any activity other than that which relates to their duty assignment. Members shall not enter places of amusement while on-duty, except for police purposes. Members shall not remain at any one place longer than is necessary to accomplish a police objective.

4.07 PROMPT RESPONSE TO ALL CALLS:

Officers shall respond without delay to all calls for police service from citizens or other members. Immediately upon completion of the call, officers shall notify the dispatcher of their return to service.



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4.08 REPORTING HAZARDS AND ASSISTING THE PUBLIC:

Members observing anything of a dangerous or hazardous nature, citizens in distress, anything that might occasion public inconvenience, or seems irregular or offensive shall ensure proper action and report the incident. Members shall assist the public and not avoid this responsibility.

4.09 DUTY TO REPORT CRIMES:

Members receiving or possessing facts or information relative to a criminal offense shall not conceal, ignore, distort, or retain such facts or information, and will report such facts. Members will have a continuing duty to report facts and information relative to criminal offenses until the criminal offense has been reported through proper channels.

4.10 DUTY TO REPORT INCIDENTS:

Members shall immediately report the following categories of incidents, in addition to other incidents covered by these rules and departmental procedures, in accordance with the procedures of the Department.

- A. **TRAFFIC CRASH INVOLVING MEMBER:** Members, while in a city vehicle, shall immediately report any traffic crashes in which they are involved.
- B. **ON-DUTY INJURY:** Members shall immediately report any personal injuries received in the line-of-duty.
- C. **OFF-DUTY INJURY:** Members shall immediately report any off-duty injuries which are apt to interfere with the performance of duties.
- D. **INJURY OR PROPERTY DAMAGE CAUSED BY MEMBER:** Members shall immediately report all property damage or injuries caused to other persons while in the performance of their duty.
- E. **INCIDENTS WHERE THE CITY MAY BE LIABLE:** Members shall immediately report all incidents in which it appears the City of San Antonio may be liable for damages.
- F. **DANGER TO PUBLIC HEALTH OR SAFETY:** Members shall immediately report any conditions which might endanger the public health or safety.
- G. **SUIT OR LEGAL PROCESS AGAINST MEMBER:** Members shall immediately report any suits or legal processes filed against them by reasons of acts performed by them in the line-of-duty. Personnel are to bring the original citation to the Office of the Chief and sign a form requesting Legal Representation, which will be forwarded to the City Attorney's Office. In the event personnel receive or are served with a suit or legal process after normal business hours, (0745-1630 hours, Monday – Friday), they shall report to the Office of the Chief the next business day with the original citation.
- H. **DAMAGE TO CITY PROPERTY:** Members shall immediately report damage to any city property.

4.11 REQUIRED TO TAKE AND MAINTAIN NOTES:

Field officers shall carry notebooks or notepads to record the details of any police action they might take. All officers will take and keep notes of the police actions in which they are involved. Data pertinent to cases investigated will be kept and maintained by the officer involved.

4.12 OFFICIAL REPORTS:

- A. **COMPLETION OF REPORTS:** Members shall complete reports promptly, accurately, and in conformance with the reporting procedures of the department.



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- B. SUBMISSION OF REPORTS: Members shall complete and submit all reports prior to going off-duty.
- C. FORM AND CONTENTS: Members' reports shall be professionally written in good grammatical form and shall not contain slang, profanity, colloquial expressions, or insulting racial terminology, except when the language is a quotation and is essential to the investigation, a part of the offense, or related to the officer's action. The public portion of the report shall contain only the information required therein and shall not contain any information which is privileged or confidential. Information to be restricted from the public portion of the report includes:
 - 1. Matters relating to investigative techniques or procedures;
 - 2. Opinions or judgments of the officer;
 - 3. Facts tending to identify suspects or informants; or
 - 4. Information which should be confidential and which relates to a continuing investigation.

4.13 DUTY TO TAKE ACTION:

Officers are charged with the responsibility to enforce local ordinances, state laws, and federal statutes, to preserve the peace, and to protect lives and property. All officers will take immediate action to prevent any obvious felony offense, or to arrest, if reasonably possible, any known felony offender, and to protect all persons and property from imminent harm.

4.14 COURTESIES ACCORDED THE NATIONAL COLORS AND ANTHEM:

Members of the department shall salute the National Colors during the playing of the National Anthem with the hand salute appropriate to their dress:

- 1. Full Uniform with Headgear-At the first note of music: stand at attention and executes a military salute;
- 2. Uniform without Headgear-At the first note of music: stand at attention and hold this position until the last note of music has been played; or
- 3. Relaxed Apparel or Civilian Attire-At the first note of music: stand at attention and place right hand over heart.

4.15 RESPONSIBILITY FOR INTERNAL INVESTIGATIONS:

- A. FORMAL INVESTIGATIONS: The Professional Standards Section has the responsibility for investigating allegations of non-criminal misconduct by members of the Department.
- B. INVESTIGATION OF MEMBERS: Members who have a reason to believe another member of the Department should be investigated shall write a report to the commander of the Professional Standards Section giving the details of that belief.
- C. PRELIMINARY INVESTIGATIONS: Supervisory officers may conduct preliminary investigations under the following circumstances:
 - 1. Only to the extent necessary to determine the validity of a complaint or to provide justification for an investigation; or
 - 2. If a violation is occurring and the offender may escape detection if an investigation is delayed.



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4.16 ABSENCE FROM ASSIGNMENT:

Members shall not leave their beats or assigned areas except in the line-of-duty, upon authorization of a supervisor, or at the end of a scheduled tour-of-duty.

4.17 COOPERATION WITH OTHER AGENCIES:

Members shall cooperate with all agencies engaged in the administration of criminal justice and other public departments, giving to each all aid and information they might be entitled to receive.

4.18 RELATIONS WITH NEWS MEDIA:

Members shall be open, honest, and cooperative with members of the news media, whenever possible, provided such actions are consistent with the statutes of the State of Texas and the policies of the Department.